

MINUTES



County of Inyo Board of Supervisors

May 30, 2018

The Board of Supervisors of the County of Inyo, State of California, met in special session at the hour of 10:02 a.m., on May 30, 2018, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Dan Totheroh, presiding, Rick Pucci, Jeff Griffiths, Mark Tillemans, and Matt Kingsley.

- Public Comment* Chairperson Totheroh asked for public comment during the first public comment period and there was no-one wishing to address the Board.
- Closed Session* Chairperson Totheroh recessed open session at 10:03 a.m. to convene in closed session with all Board members present (Supervisor Griffiths arriving at 10:15 a.m.) to discuss the following items: No. 2 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9] – County of Inyo v. Los Angeles Department of Water and Power, Inyo County Superior Court Case No. SICVCV 18-61899 (Well 385); and No. 3 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –** Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code §54956.9 (one case).
- Open Session* Chairperson Totheroh recessed closed session and reconvened the meeting in open session at 11:51 a.m. with all Board members present.
- Pledge* The Assistant Clerk of the Board led the Pledge of Allegiance.
- Report on Closed Session* County Counsel Rudolph reported that no action was taken during closed session that is required to be reported. The Board would be returning to closed session to continue discussions at some point.
- Public Comment* Chairperson Totheroh asked for public comment during the second public comment period.
- Daris Moxley of Bishop asked whether she would need to fill out a comment card to comment on the meeting's main agenda item and was told no.
- Paul Huette of Big Pine urged the County to dispute LADWP's proposed pumping plan and to let them know the Owens Valley is tired of being over-pumped.
- County Department Reports* County Clerk-Recorder-Registrar of Voters Kammi Foote reported that her office is starting to receive automatic voter registrations from the DMV, with some glitches that removed the party preference from several dozen local voters' registration. She said her staff is following up with those voters individually to correct the DMV's error and in general is doing an incredible keeping up with a workload that has increased exponentially with the June 5 election on the horizon.
- Water Dept. – Direction for Standing Comm. Representatives* Water Department Director Dr. Bob Harrington appeared before the Board to solicit direction from the Board for the County's representatives to the Inyo-Los Angeles Standing Committee meeting ahead of the May 31, 2018 meeting in Los Angeles. He reviewed for the Board each agenda item, including three ongoing disputes over Well 385R in the Five Bridges Area and a 1999 Revegetation Plan for the Five Bridges Impact Area. Two of the disputes were initiated by LADWP. He explained that one requirement of the dispute resolution process is that the Inyo-L.A. Technical Group provide the Standing Committee with a report outlining the areas of disagreement and as of yet, there is no complete report that has been agreed to by both Inyo County and Los Angeles Technical Group staff. Harrington also noted an agenda item regarding consideration of a list of other new enhancement/mitigation projects throughout the

County to which LADWP would be favorable based on conditions it presented: that they be water neutral and that the County covers the costs. He said the project list is an attempt to reach a mutually beneficial resolution to long-standing issues, such as channelizing the LORP Islands Area, providing water for the County Farm property in Big Pine and an independent water supply for the Lone Pine FFA Farm, irrigation of the Bartell and Blake parcels in Big Pine, water supplies for the local golf courses, and the Big Pine Veterans Path.

Supervisor Griffiths reiterated that the projects are not new issues and are an attempt to return to past practices or simply do what's right. Supervisor Tillemans added that the projects do not undermine existing litigation either. Supervisor Kingsley said they could even prevent future litigation. Supervisor Pucci was hopeful for meaningful discussion and agreement at the Standing Committee meeting but said sometimes good projects are caught up in and delayed by the City's bureaucratic red tape. Public comment was received by Daris Moxley of Bishop, Paul Huette of Big Pine, and Mary Roper of Independence. Moxley offered specific views on several agenda items, including her stance that LADWP cannot simply change the name of a well and claim it is new (Well 385R). Moxley also asked for open public discussion on possible enhancement/mitigation projects. Huette echoed Moxley's sentiments about Well 385R not being a new well by virtue of a name change and urged the Board to take advantage of the advisory role played by the Inyo County Water Commission and to stand its ground against LADWP. Roper noted that the phrase "water neutral" does not exist in any of the legally binding documents between Los Angeles and Inyo County and said it shouldn't be used since their relationship hasn't been water neutral since 1913. Supervisor Griffiths suggested and the Board agreed it would be appropriate to voice the County's objections to LADWP's proposed pumping plan at the Standing Committee. Supervisor Kingsley noted that citizens can also provide direct comment to the Standing Committee members, whether in person or via the videoconferencing equipment available at LADWP's Mandich Street offices, where the meetings are broadcast live.

Board Member and Staff Reports

Board members and staff deferred their reports to the June 5, 2018 meeting.

Closed Session

Chairperson Totheroh recessed open session at 12:30 p.m. to convene in closed session with all Board members present to continue discussion and possible action as appropriate on previously noted closed session items.

Open Session

Chairperson Totheroh recessed closed session and reconvened the meeting in open session at 12:47 p.m. with all Board members present except Supervisor Tillemans.

Report on Closed Session

County Counsel Rudolph reported that no action was taken during closed session that is required to be reported.

Adjournment

Chairperson Totheroh adjourned the meeting at 12:47 p.m. to 8:30 a.m. Tuesday, June 5, 2018 in the County Administrative Center in Independence.

Chairperson, Inyo County Board of Supervisors

*Attest: KEVIN D. CARUNCHIO
Clerk of the Board*

by: _____
Darcy Ellis, Assistant